REMARKS

[0003]   Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 3-5, 7-8, 11-19 and 22-35 are presently pending. Claims amended herein are: 1, 5, 8, 19, 29 and 31. Claims withdrawn or cancelled herein are: 2, 6, 9-10, 20-21.

Statement of Substance of Interview

[0004]   The Examiner graciously talked with me—the undersigned representative for the Applicant—on 1/15/2008. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005]   During the interview, I discussed how the claims differed from the cited art, namely Zaslavsky. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

[0006]   In the official Interview Summary, the Examiner stated the following:

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner and Applicant discussed Figure 10 of Zaslavsky, with reference to Paragraph 0127 of the disclosure. An agreement could not be reached as to whether elements 1-100 and 101-x of Figure 10 were in fact two separate video streams based on Paragraph 0127 of Zaslavsky. In addition, the nature in which the thumbnail video feeds are transmitted was also discussed. An agreement could not be reached as to whether Zaslavsky teaches the transmission of a plurality of separate thumbnail video feeds from the sending end station. The Examiner's position was that Zaslavsky teaches a 'plurality of separate video feeds' in the form of elements 1-100 and 101-x of Figure 10. In addition, a 'plurality of separate video feeds' would encompass the transmission of thumbnail video feeds as a function of time, so that multiple thumbnail video feeds could be sent over the same channel at different instances in time and be interpreted as a 'plurality of separate video feeds'. No agreement could be made on either of these interpretations .

Formal Request for an Interview

[0007]   If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0008]   Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Claim Amendments

[0009]   Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 5, 8, 19, 29 and 31 herein. These amended claims are fully supported by Application and therefore do not constitute new matter. For support for these amendments, see, generally, Application, paragraphs [0032], [0044]-[0048], [0052] and [0064].

Formal Matters

Specification

[0010]   The Examiner objects to paragraph [0083] of the specification because of the following informalities: "pay-per-view (PPV) content" is disclosed in Paragraph [0083] as element 642, but depicted as element 650 in Figure 6. Herein, Applicant amends these paragraphs, as shown above, to correct the informalities noted by the Examiner.

Substantive Matters

Claim Rejections under §§ 102 and 103

[0011]   The Examiner rejects claims 1-9, 18-20, 28-30, 31, and 34-35 under §102. For the reasons set forth below, the Examiner has not shown that cited references anticipate the rejected claims.

[0012]   In addition, the Examiner rejects claims 10-17, 21-27, and 32-33 under §103. For the reasons set forth below, the Examiner has not made a prima facie case showing that the rejected claims are obvious.

[0013]   Accordingly, Applicant respectfully requests that the §102 and §103 rejections be withdrawn and the case be passed along to issuance.

[0014]   The Examiner's rejections are based upon the following references alone or in combination:

- **Zaslavsky:** *Zaslavsky, et al.,* US Patent Publication No. 2003/0014752 A1 (published January 16, 2003);
- **Gordon:** *Gordon, et al.,* US Patent No. 6,481,012 B1 (issued November 12, 2002); and
- **Norsworthy:** *Norsworthy et al,* US Patent No. 6,784,945 B2 (issued August 31, 2004).

Overview of the Application

[0015]   The Application describes a technology that facilitates presentation of multiple miniaturized video feeds to a multimedia receiver. It further facilitates a user-interface that employs these multiple miniaturized video feeds.

Cited References

[0016]   The Examiner cites Zaslavsky as the primary reference in the anticipation- and/or obviousness-based rejections. The Examiner cites Gordon and Norsworthy as secondary references in the obviousness-based rejections.

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Zaslavsky

[0017]   Zaslavsky describes a method for generating electronic program guide data. The method comprises combining a number of input video streams into a single output video stream and transmitting the single output video stream to a plurality of receivers.

Gordon

[0018]   Gordon describes a method for slice-based encoding of program guides and user interfaces. The method for encoding the program guide includes encoding a first set of slices for each of a plurality of graphics pages and encoding a second set of slices for each of a plurality of video streams. A multiplexer then combines the encoded slices into a transport stream for transmission to a distribution network.

Norsworthy

[0019]   Norsworthy describes a multiple-information decoding system and method in which multiple information content is decoded sequentially and provided to a viewer such that the viewer perceives the information content as being simultaneously decoded. One embodiment of the system and method is in a video display system where RF channels are decoded by a single tuner for concurrent presentation to a display.

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Anticipation Rejections

[0020]   Applicant submits that the anticipation rejections are not valid because, for each rejected claim, no single reference discloses each and every element of that rejected claim.[1] Furthermore, the elements disclosed in the single reference are not arranged in the manner recited by each rejected claim.[2]

Based upon Zaslavsky

[0021]   The Examiner rejects claims 1-9, 18-20, 28-31, and 34-35 under 35 U.S.C. § 102(e) as being anticipated by Zaslavsky. Applicant respectfully traverses the rejections of these claims. Based on the reasons given below, Applicant asks the Examiner to withdraw the rejection of these claims.

Independent Claims 1 and 5

[0022]   The Examiner indicates (Action, p. 4) the following with regard to these claims:

> In reference to Claims 1, Zaslavsky teaches a computer-readable medium having computer-executable instructions (hardware 1800 of Fig. 18 performing the process of Fig. 10, as described in Paragraph [0124]) that, when executed by a computer (CPU 1808 of Fig 18, as described in Paragraph [0124]), performs the method of Claim 5.

---

[1] "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); also see MPEP §2131.

[2] See _In re Bond_, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

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[0023] Applicant submits that Zaslavsky does not anticipate these claims because it does not show or disclose the following elements as recited in these claims (with emphasis added):

- "**receiving a request** for a plurality of the thumbnail video feeds"
- "transmitting, **in *response* to the request and *without multiplexing***, the thumbnail video feeds over a communications network"
- "transmitting one or more **audio feeds** separately from the video feeds over the communications network"

[0024] In this Action, the Examiner equates the process disclosed by Zaslavsky in Fig. 10 with the method recited in these claims. Applicant respectfully disagrees.

[0025] Zaslavsky describes how a set of standard channels are converted to thumbnail video streams. (See, for example, Zaslavsky paragraph [0127]). The thumbnail video streams are multiplexed and combined into a single video stream before transmitting it to a single tuner at the receiving side. (See, for example, Zaslavsky paragraphs [0023], [0127]) Although paragraph [0127] may indicate that that multiple streams can be shown simultaneously, it does not state that the thumbnail video streams are *transmitted* "without multiplexing," as required by the claims.

[0026] Furthermore, the video streams are not transmitted "in response to a request." Rather, a *standard set* of video streams is transmitted, and selection is only performed *after* the single video stream is transmitted and received.

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(See, for example, Zaslavsky paragraph [0127] stating "software on the receiving side decoding the correct thumbnail streams and selecting them accordingly")

[0027]   In addition, Zaslavsky nowhere teaches "transmitting one or more audio feeds separately from the video feed." The Examiner has admitted the absence of this element on p. 7 of the Action, by stating that "[Zaslavsky] does not teach that the method comprises presenting audio that corresponds to one of the present thumbnail video feeds."

[0028]   Consequently, Zaslavsky does not disclose all of the claimed elements and features of these claims. Accordingly, Applicant asks the Examiner to withdraw the rejection of these claims.

Independent Claims 8, 19, 29 and 31

[0029]   The Examiner indicates (Action, p. 4) the following with regard to claims 8 and 19:

> In reference to Claim 8, Zaslavsky teaches a computer-readable medium having computer-executable instructions (program memory 202, as described in Paragraph [0096] Lines 9-11) that, when executed by a computer (CPU 200 as described in Paragraph [0096] Lines 9-11), performs the method of Claim 19.

[0030]   The Examiner further indicates (Action, p. 5) the following with regard to claim 29:

> In reference to Claim 29, Zaslavsky teaches a multimedia system comprising a receiving unit configured for receiving one or more scaled-reduced version of video feeds over a communications network (stream 501 comprising little streams 505 a-n, as disclosed in Paragraphs [0129 and 0130]); a UI generator configured to generate a UI comprising the one

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or more thumbnail video feeds (interface block 803 of Fig. 14, as described in Paragraph [0135]); and a presentation device configured for presentation of the UI ("The EPG can be displayed on a television, personal computer, or a device that is a combination ..." as disclosed in Paragraph [0114] Lines 7-9).

[0031]   The Examiner further indicates (Action, p. 6) the following with regard to claim 31:

> In reference to Claim 31, Zaslavsky teaches a compute-readable medium having computer-executable instructions (program memory 202, as described in Paragraph [0096] Lines 9-11) that, when executed by a computer, produce a UI of a multimedia system (screen 801 of Fig. 14, as described in Paragraph [0135]), the UI comprising multiple thumbnail display areas (interface block 803 of Fig. 14, as described in Paragraph [0135]), each are configured to display a reduced-scale video feed (any one of elements 810a-f, as described in Paragraph [0135]) received via a communications network.

[0032]   Applicant submits that Zaslavsky does not anticipate any of claims 8, 19, 29 and 31 because it does not show or disclose the following elements as recited in these claims (with emphasis added):

- "receiving, **in *response* to a request**, a **plurality of *non-multiplexed* scale-reduced versions** of video feeds ("thumbnail video feeds") over a communication network;"

- "receiving one or more **audio feeds** separately from the thumbnail video feeds"

- "**presenting audio** that ***corresponds*** to one of the presented thumbnail video feeds"

[0033]   In this Action, the Examiner equates the single video stream 501 comprising little streams 505 a-n disclosed by Zaslavsky in paragraphs [0129 and

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0130] with the "plurality of non-multiplexed scale-reduced versions of video feed" recited in these claims. Applicant respectfully disagrees.

[0034]   As discussed above, Zaslavsky describes a single tuner receiving multiple video streams that have been multiplexed into a single video stream for transmission.   See, for example, Zaslavsky paragraphs [0023], [0127] and [0130].   Furthermore, the video streams are not received "in response to a request." Rather, a *standard set* of video streams is transmitted, and selection is only performed *after* the single video stream is transmitted and received. (See, for example, Zaslavsky paragraph [0127] stating "software on the receiving side decoding the correct thumbnail streams and selecting them accordingly")

[0035]   In addition, Zaslavsky nowhere teaches "transmitting one or more audio feeds separately from the video feed", or "presenting audio that corresponds to one of the presented thumbnail video feeds." See, for example, Examiner's statement (Action p. 7) that "[Zaslavsky] does not teach that the method comprises presenting audio that corresponds to one of the present thumbnail video feeds."

[0036]   Consequently, Zaslavsky does not disclose all of the claimed elements and features of these claims. Accordingly, Applicant asks the Examiner to withdraw the rejection of these claims.

Dependent Claims 2-4, 6, 7, 9, 18, 20, 28, 30 and 34-35

[0037] Claims 2, 6, 9 and 20 have been cancelled, so rejection to these claims is rendered moot by this amendment. Remaining claims 3-4, 7, 18, 28, 30 and 34-35 ultimately depend upon independent claims 1, 5, 8, 19, 29 or 31. As discussed above, claims 1, 5, 8, 19, 29 and 31 are allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Obviousness Rejections

Lack of _Prima Facie_ Case of Obviousness (MPEP § 2142)

[0038] Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

Based upon Zaslavsky and Gordon

[0039] The Examiner rejects claims 10-14 and 21-24 under 35 U.S.C. § 103(a) as being unpatentable over Zaslavsky in view of Gordon. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

[0040]   The elements recited in Claim 21 have been incorporated into independent claims 8 and 19. Applicant respectfully submits that independent claims 8 and 19 are allowable over Zasvalsky in view of Gordon. The Examiner indicates (Action, p. 7) the following with regard to claim 21:

> Gordon teaches a method for generating, distributing, and receiving a transport stream containing compressed video and graphics information ... and presenting audio corresponding to video object packets (as performed by remultiplexer 2506 of Fig. 25, as described in Col. 23 Lines 12-20).

[0041]   In addition to the defects of Zaslavsky (as discussed above) which Gordon fails to compensate, Applicant respectfully submits that the combination of Zaslavsky in view of Gordon does not anticipate claims 8 and 19 because Gordon does not show or disclose the following elements as recited in these claims (with emphasis added):

- "receiving one or more **audio feeds *separately* from the thumbnail video feeds**"

[0042]   The remultiplexer 2506 in Gordon combines the video object streams with the multiplexed packetized audio stream to generate a single object transport stream for transmission. (See, for example, Gordon, Col. 23, lines 12-20.) Gordon neither teaches nor suggests receiving video feeds and audio feeds *separately*.

[0043]   Consequently, the combination of Zaslavsky and Gordon fails to teach or suggest all of the claimed elements and features of these claims.

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Accordingly, Applicant asks the Examiner to withdraw the rejection of these claims.

Dependent Claims 11-14 and 21-24

[0044]   Claim 21 has been cancelled by this amendment and rejection to this claim is rendered moot. The remaining claims 11-14 and 22-24 ultimately depend upon independent claim 8 and 19. As discussed above, claims 8 and 19 are allowable.   It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable.   Additionally, some or all of these claims may also be allowable for additional independent reasons.

Based upon Zaslavsky and Norsworthy

[0045]   The Examiner rejects claims 15-17, 25-27, 32 and 33 under 35 U.S.C. § 103(a) as being unpatentable over Zaslavsky in view of Norsworthy. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

[0046]   These claims ultimately depend upon independent claims 8, 19 and 31. As discussed previously, independent claims 8, 19 and 31 are allowable. Norsworthy fails to compensate for the defects of the cited references.   It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable.   Additionally, some or all of these claims may also be allowable for additional independent reasons.

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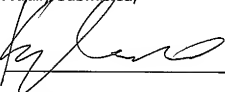www.leehayes.com   509.324.9256

Dependent Claims

[0047]   In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0048]   All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**. Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 2-27-08

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